



PATENT

Case Docket No. MASIMO.108C2

Date: November 20, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Al-Ali, et al.
Appl. No. : 10,668,487
Filed : September 22, 2003
For : STEREO PULSE OXIMETER
Examiner : Unknown
Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 20, 2003

(Date)

John M. Grover, Reg. No. 42,610

TRANSMITTAL LETTER

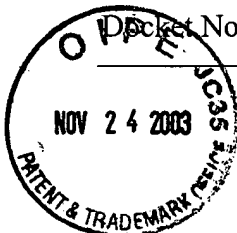
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 listing twenty seven (27) references which are not being submitted herewith.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995
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INFORMATION DISCLOSURE STATEMENT

Applicant : Al-Ali, et al.
App. No. : 10/668,487
Filed : September 22, 2003
For : STEREO PULSE OXIMETER
Examiner : Unknown
Group Art Unit : Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 27 references that are of record in U.S. patent application No. 10/668,487, filed September 22, 2003, which is the parent of this Continuation application, and is relied upon for an earlier filing date under 35 U.S.C. § 120. Copies of the references are not submitted pursuant to 37 C.F.R. § 1.98(d).

This Information Disclosure Statement is being filed within three months of the filing date of this application and no fee is required in accordance with 37 C.F.R. § 1.97(b)(1), (b)(2), or (b)(4).

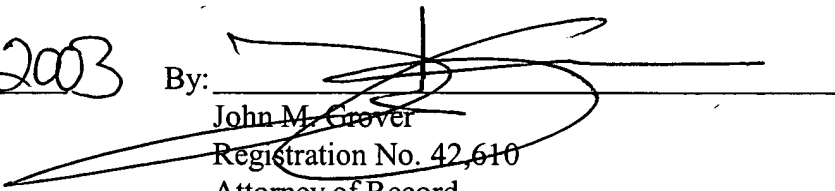
Respectfully submitted,

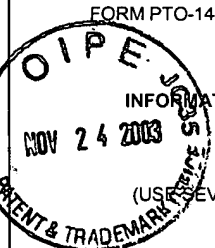
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

NOV 20, 2003

By:


John M. Grover
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Attorney of Record
Customer No. 20,995
(949) 760-0404

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. MASIMO.108C2	APPLICATION NO. 10/668,487
	APPLICANT Al-Ali, et al.	
	FILING DATE September 22, 2003	GROUP Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	3,847,483	11/74	Shaw, et al.			
	4,869,253	9/89	Craig, Jr., et al.			
	4,927,264	5/90	Shiga, et al.			
	5,078,136	1/92	Stone, et al.			
	5,218,962	6/93	Mannheimer, et al.			
	5,308,919	5/94	Minnich			
	5,522,388	6/96	Ishikawa, et al.			
	5,542,421	8/96	Erdman			
	5,632,272	5/97	Diab, et al.			
	5,638,816	6/97	Kiani-Azarbayjany, et al.			
	5,743,857	4/98	Shinoda, et al.			
	5,954,053	9/99	Chance, et al.			
	6,334,065	12/2001	Al Ali, et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 555 553 A2	8/93	EP				
	0807 402 A1	11/97	EP				
	WO 96/12435	5/96	WO				

EXAMINER
INITIAL

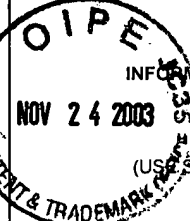
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

1.	Bartlett, "Oxygen Kinetics", <i>Critical Care Physiology</i> , 13 th Ed., pp.1-23.
2.	Weis, Carla M. et al., "Oxygen Therapy", Chapt. 46, <i>Pulmonary Disease in the Neonate</i> , pp. 538-545.
3.	Drummond, Willa H., "Ductus Arteriosus", <i>Cardiovascular Disease in the Neonate</i> , pp. 760-771.
4.	Steinke, John M., "Comparison of Mie Theory and the Light Scattering of Red Blood Cells", <i>Applied Optics</i> , vol. 27, No. 19, Oct. 1, 1998, pp. 4027-4033.
5.	Neuhof, H. et al., "Simultaneous Continuous Measurement of Arterial and Mixed Venous Partial O ₂ Saturation", <i>The Oxygen Status of Arterial Blood</i> , Zander, Mertzluft (eds.), pp. 273-278 (Karger, Basel 1991).

EXAMINER

DATE CONSIDERED

*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. MASIMO.108C2	APPLICATION NO. 10/668,487
 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(USE SEVERAL SHEETS IF NECESSARY)</p>		APPLICANT Al-Ali, et al.	
		FILING DATE September 22, 2003	GROUP Unknown

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	6.	Wolf, Martin, et al., "Continuous Noninvasive Measurement of Cerebral Arterial and Venous Oxygen Saturation at the Bedside in Mechanically Ventilated Neonates", <i>Critl Care Med</i> , 1997, vol. 25, No. 9, pp. 1579-1582.
	7.	White, Katherine, "Completing the Hemodynamic Picture: Sv _{ox} ", <i>Heart & Lung</i> , May 1985, vol. 14, No. 3.
	8.	Dudell, Glode, et al., "What Constitutes Adequate Oxygenation?" <i>Pediatrics</i> , Jan. 1990, pp. 39-41.
	9.	Vjayakumar, E., et al., "Pulse Oximetry in Infants of <1500 gm Birth Weight on Supplemental Oxygen: A national Survey", <i>Journal of Perinatology</i> , vol. 17, No. 5, 1997, pp. 341-345.
	10.	Murray, Willie et al., "The Peripheral Pulse Wave: Information Overlooked", <i>Journal of Clinical Monitoring</i> , vol. 12, pp. 365-377, Sep. 1996.
	11.	International Search Report, August 17, 1999

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	